

COMMISSIONERS APPROVAL

GRANDSTAFF 
ROKOSCH 

THOMPSON

CHILCOTT 

DRISCOLL 

PLETTENBERGE (Clerk & Recorder)

Members Present.....Commissioner Carlotta Grandstaff,
Commissioner Jim Rokosch, Commissioner Greg Chilcott and Commissioner Kathleen
Driscoll

Date.....December 23, 2008

Minutes: Glenda Wiles

► The Board met to continue their discussion and decision on the bid award for legal printing. Present at this meeting was Kristin Bounds of the Ravalli Republic and Mike & Victoria Howell of the Bitterroot Star. Glenda indicated she had sent the memo to all department heads asking for their input on a weekly or daily newspaper for purposes of statute requirements. Responses were received from Clerk and Recorder, Judge Haynes, Extension, Clerk of Court, 9-1-1, & Road and Bridge Department. Comments from Department Heads were mixed in regard to which paper to utilize. **Commissioner Chilcott made a motion to award to the Bitterroot Star for legal notices for calendar year 2009. Commissioner Driscoll seconded the motion. All voted "aye".**

► The Board met with Human Resource Director Robert Jenni for a discussion of employee matters which included Employee Action Forms and the Fair Manager's position.

► The Board met with Environmental Health Director Lea Jordan for an update which included the revenue figures from 2006 - 2008 with a breakdown of the septic permit revenue, subdivision review revenue and monthly numbers for inspections, plan reviews for food establishments, junk vehicle, public water, groundwater, air quality, subdivisions and septic permits. In regard to current projects, Lea gave an update on the UMT Indoor Air Quality program, the 319 Source Water Protection Project and a letter of support for the 319 Grant Lea hopes to submit for 2009-2010. The deadline for this grant submittal is December 31, 2008. Lea is also working with Planning in regard to the floodplain issues and work that affects both their offices. She is looking at potential funding for various projects.

Commissioner Chilcott made a motion to sign a letter of support for the submission of the 319 Grant for Source Water Protection for grant cycle 09-2010. Commissioner Driscoll seconded the motion and all voted "aye".

Lea also asked the Commissioners if they had any questions for Charlie Vandam, who was present from PBS&J Environmental Services in Missoula, in regard to last week's groundwater vulnerability mapping project presentation. Discussion by question and answer took place relative to the groundwater and recharging of the aquifer; statistical analysis and correlation of where the nitrates might be occurring; site specific analysis for development; data collection in subdivision with a method of collection; spread sheet for review of the collection samples in order to build a data base; having a network of monitoring wells available for testing; ability to work with other counties; and funding for this mapping project. Discussion also included the Bitterroot Valley Septic Systems Impact Evaluation Model possibly modeled after the project in Kootenai County, Idaho which will collect the groundwater data including nitrate and water levels.

► The Board met to receive public comment on the Ricketts Road Voluntary Zoning District Standards. Present at this meeting were numerous residents of this zoning district and Planner Tristan Riddell. Tristan gave an overview of the Ricketts Road Voluntary Zoning District which was created by Resolution No. 2197 and the Planning and Zoning Commission Resolution No. 08-03. He stated a draft of standards have been reviewed by the County Attorney's Office with some minor changes such as 'nuisance' sections being removed and other sections be tweaked due to Montana Statutes. The commercial properties (storage unit and Hamilton Players) could not expand unless the standards were amended. There are 26 parcels within this district. Roughly 80% signed on for this district. Tristan prepared a resolution for today's meeting which formally adopts the zoning district.

Commissioner Chilcott asked about the expansion of the storage unit and Hamilton Players. Tristan stated if those two commercial entities wanted to expand they will have to come through the variance process of this new Resolution. Commissioner Driscoll asked if the County Attorney made many changes. Tristan stated there were no significant changes in the language, simply to change the language replicating the Montana Statute.

Public Comment was called for.

Jim Olson stated they followed the law and their purpose is to stop any further commercial businesses. They wanted to make sure everything is enforceable so they appreciate the attorney review. He asked the Commissioners to approve of this Resolution in order to adopt the district standards.

Katherine Smith asked if Jim Olson received any of the attorney changes. Jim stated he did not, but the new re-write is what they agreed to and it follows the law.

Marci Lindquist asked about trailer parks. If she has two trailers on one parcel and one trailer on another parcel how would she be affected? The response was that she was grandfathered in for what she has.

Mike West stated this is supposedly a voluntary zoning district, but it is not voluntary because he does not want to be in it. To not allow a commercial business to expand unless they go through 'a whole bunch of stuff' sounds difficult. This is zoning at its worst and it just adds to the bad public relations on zoning.

Jim Olson stated the businesses are what stimulated this resolution as they did not want any more commercial businesses.

Mike West stated their business is bordered to the west by a commercial property, plus there are trailers to the east and another storage unit right next door. These are busy streets and it is prime commercial property.

Commissioner Grandstaff stated this is a democratic process and she is in favor of these types of proactive zoning districts. She hopes they become more pro active so the Commissioners can review more of these. There has been a lot of effort for citizens and county staff to make this move forward. Commissioner Driscoll stated she appreciates all the work they have done, and while this is a busy road, the road brings commercial business to town. The river cuts off the commercial businesses from downtown.

Commissioner Rokosch stated the Commissioners have been engaging in zoning issues for the past year and a half. Many people felt voluntary zoning is a preferable approach to countywide zoning. This lets the neighborhoods determine what they want in their back yards. This is a viable tool for the residents, and the state has set up a procedure for the super majority to enact a voluntary zoning district. Unfortunately there are a few, like Mike West, that do not like the enactment. He felt this provides a good balance for the neighbors and wants to follow through in adopting this Resolution. Commissioner Chilcott stated he understand that the new commercial business (storage unit) precipitated this district. However he understands the owners of the parcel had the right to develop the storage unit. The Lindquists too have a commercial enterprise with their trailers, and they made it under the wire, so to speak, in this district. He stated he understands private property rights and legally this zoning district, while under the law, is hard for him to accept because it affects property owners that might not want to be included.

Commissioner Driscoll stated she was annexed into the city about a month ago. Her real estate business was in her garage and now she won't be able to do that. She recognizes she will have to move that business to a commercial area. But agrees it is good for the neighborhood.

Commissioner Rokosch made a motion to adopt Resolution No. 2372 as amended by the Planning & Zoning District and recommendations by staff. Commissioner Driscoll seconded the motion. Commissioners Rokosch, Driscoll, Grandstaff voted "aye". Commissioner Chilcott voted "nay".

► In other business, Commissioner Rokosch and Commissioner Driscoll met with Under Sheriff Kevin McConnell, Peg Platt and Vickie Dawson regarding the animal control position.